

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

HYUNDAI TRANSLEAD,

Plaintiffs,

v.

Case No. 3:04-cv-0582
Judge Trauger
Magistrate Judge Griffin

JACKSON TRUCK & TRAILER REPAIR, INC.,
JAMES A. HARRELL, Individually,
RALEIGH J. WILLIAMS, Individually,
MARK LAZARUS, Individually, and
MCH TRANSPORTATION COMPANY.

Defendants.

**MOTION FOR ORDER SUBSTITUTING HYUNDAI TRANSLEAD IN THE CAPACITY
OF THE BANKRUPTCY TRUSTEE AS PLAINTIFF IN CASE NO. 3:04-0582
NOW PENDING IN THIS COURT, AND TO FILE AMENDED COMPLAINT**

Hyundai Translead (“Hyundai”) respectfully moves the Court as follows (the “Motion”):

(1) for an order substituting Hyundai as the plaintiff in the above captioned case in its derivative capacity for the use and benefit of the estate in Bankruptcy Case No. 05-00148-MH3-7, Middle District of Tennessee; and (2) for an order authorizing the filing of an amended complaint. A copy of the proposed amended complaint is attached hereto.

In support of the Motion, Hyundai submits the Memorandum of Points and Authorities and Request to Take Judicial Notice filed concurrently with the Motion.

Dated: June 20, 2007

Respectfully submitted,

C.W. WIED PROFESSIONAL CORPORATION

By: /s/ Colin W. Wied

Colin W. Wied, admitted Pro Hac Vice
CA State Bar No. 36231
C.W. Wied Professional Corp.
501 West Broadway, Suite 1780
San Diego, CA 92101
(619) 338-4030
(619) 338-4022 facsimile
cww@cwwied.com

**FARRIS MATHEWS BRANNAN BOBANGO
HELLEN & DUNLAP, PLC**

By: /s/ James E. Bailey III

Fred M. Acuff, Jr. (8402)
James E. Bailey III (015979)
R. Campbell Hillyer (022124)
40 South Main Street
One Commerce Square, Suite 2000
Memphis, TN 38103
(901) 259-7100
(901) 259-7150 facsimile

and

PARKER, LAWRENCE, CANTRELL & DEAN

By: /s/ Richard K. Smith

Richard K. Smith, Esq.
Suite 500
200 Fourth Avenue North
Nashville TN 37219

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2007, a true and correct copy of the foregoing has been served electronically or placed in the U. S. mail, postage pre-paid and properly addressed to:

Samuel K. Crocker, Esq.
Crocker & Nairhos
611 Commerce Street
Suite 2720
Nashville, TN 37203

Office of the United States Trustee
701 Broadway
Room 318
Nashville, TN 37203

John Shannon Bryant, Esq.
John C. Hayworth, Esq. and
John L. Farringer, IV, Esq.
Walker Bryant Tipps & Malone
2300 One Nashville Place
150 Fourth Ave., N.
Nashville, TN 37219-2415

Paul G. Jennings, Esq.
Bass Berry & Sims, PLC
315 Deaderick Street
AmSouth Center
Suite #2700
Nashville, TN 37238-3001

Trailer Source, Inc.
Attn. Jeffrey Davis
C/O Glenn Rose, Esq.
315 Deaderick St, #1800
Nashville, TN 37238